



INTELLECTUAL PROPERTY
402-391-4448

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10328 PINEHURST AVE.
OMAHA, NEBRASKA 68124

Hayes

March 14, 2003

Assistant Commissioner
for Patents
Patent & Trademark Office
Washington, D.C. 20231

RE: OPPOSITION BY THIRD PARTY REGARDING PUBLISHED APPLICATION OF
EBERT ET AL. TITLED: "MULTIPLE BEAM ELLIPSOMETR";
PUB. NO. US2003/0030806 A1;
PUB. DATE: FEB. 13, 2003;
SERIAL NO. 10/042,592;
FILED: JAN. 9, 2002.

RECEIVED
APR - 7 2003
TECHNOLOGY CENTER 2800

OPPOSITION TO PUBLISHED U.S. PATENT APPLICATION

Dear Sir;

Enclosed please find a check for \$180.00 and a Listing of
Printed Materials, submitted under 37 C.F.R. 1.99,

PATENT NO. 5,872,630 TO JOHS ET AL.;

PATENT NO. 6,181,421 T ASPNES ET AL.;

PATENT NO. 5,091,320 TO ASPNES ET AL.;

PATENT NO. 4,653,924 TO ITONAGA ET AL.;

GERMAN PATENT NO. DE 42 19 691 A1.

ARTICLES

"IMPROVED ROTATING ANALYZER-POLARIZER TYPE OF SCANNING
ELLIPSOMETER"; CHEN ET AL., THIN FILM SOLIDS, 234(1993).

"DESIGN OF A SCANNING ELLIPSOMETER BY SYNCHRONOUS ROTATION OF THE
POLARIZER AND ANALYZER", CHEN ET AL, APPL. OPT. VOL. 33, NO. 7
(1994).

"NEW DESIGN OF THE VARIABLE ANGLE INFRARED SPECTROSCOPIC
ELLIPSOMETER USING DOUBLE FOURIER TRANSFORMS", XIA ET AL., REV.

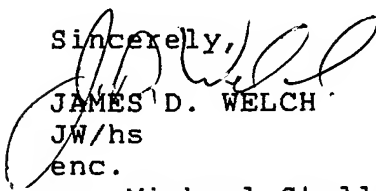
SCI. INSTRUM. VOL. 71, NO. 1, (2000).

"ROTATING-COMPENSATOR MULTICHANNEL ELLIPSOMETRY: APPLICATIONS FOR REAL TIME STOKES VECTOR SPECTROSCOPY OF THIN FILM GROWTH", LEE ET AL., REV. SCI. INSTRUM. VOL. 69, NO. 4, (1998).

"ROTATING-COMPENSATOR MULTICHANNEL ELLIPSOMETER FOR CHARACTERIZATION OF THE EVOLUTION OF NONUNIFORMITIES IN DIAMOND THIN-FILM GROWTH", APPL. PHYS. LETT., VOL. 72, NO. 8 (1998).

I hereby attest that Service was made on the Applicant's Attorney Michael Stallman, Stallman & Pollock LLP., Suite 290 121 Spear St., San Francisco, CA 94105, via United States First Class Mail sent March 14, 2003.

Sincerely,


JAMES D. WELCH

JW/hs

enc.

cc. Michael Stallman, Stallman & Pollock LLP.



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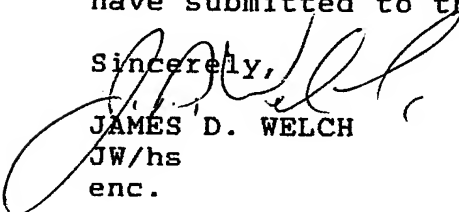
Stallman & Pollock LLP.
ATTN: Michael Stallman
Suite 290
121 Spear St.
San Francisco, CA 94105

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FILED: JAN. 9, 2002.

Dear Sirs;

Enclosed are copies of materials we feel the Patent Office
should consider in examination of the identified Application, and
have submitted to the PTO.

Sincerely,


JAMES D. WELCH
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enc.